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7 BRIAN STACY,  
8 Plaintiffs,  
9 v.  
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11 STATE OF CALIFORNIA,  
12 Defendant.

13 No. C 13-2088 RS  
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17 **ORDER OF DISMISSAL**

18 Plaintiff Brian Stacy, proceeding pro se, filed a complaint averring that he is “seeking  
19 protection from the ‘state terrorism’ he is living under,” including “illegal surveillance” from  
20 “stalkers” on May 7, 2013. Dkt. 1. Plaintiff filed an application to proceed in forma pauperis (IFP)  
with his complaint. Dkt. No. 2. The IFP Application was granted.

21 The complaint was dismissed without prejudice in accordance with the Court’s continuing  
22 duty to dismiss any case in which a party seeks leave to proceed *in forma pauperis* if it determines  
23 that the action (1) is frivolous or malicious; (2) fails to state a claim on which relief may be granted;  
24 or (3) seeks monetary relief against a defendant who is immune from such relief. 28 U.S.C.  
25 § 1915(e)(2); *see* Dkt. No. 11. On May 9, 2013, the order dismissing the complaint informed Stacy  
26 that failure to file an amended complaint within thirty days would result in his case being dismissed  
27 without further notice. No such complaint having been filed, it hereby is.

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No. C 13-2088 RS  
ORDER

1 IT IS SO ORDERED.  
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3 Dated: 9/17/13  
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10 RICHARD SEEBORG  
11 UNITED STATES DISTRICT JUDGE  
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